

Application 10/733,534

Attorney Docket P006.210

May 20, 2007 Reply to Restriction Requirement dated March 21, 2008

REMARKS/ARGUMENTS**I. Amendments to the specification**

One paragraph was amended to correct a typographical error. The amendment does not introduce new matter. Entry of this amendment is respectfully requested.

II. Status of the claims

With entry of this amendment, claims 14 – 28 and 41 – 53 are pending. Claims 14, 15, 17, 20 and 28 were amended and claims 41 – 53 were newly added. Claims 29 – 34 and 38 – 40 were withdrawn and claims 1 – 13 and 35 – 37 were cancelled. Cancellation of subject matter is without prejudice to subsequent revival for prosecution in a divisional or continuation application.

Claim 14 was amended to include an optional wash step. Support for the amendment can be found in former claim 17.

Claims 15 and 20 were amended for consistency with amended claim 14.

Claim 17 was amended to list a number of multi-protein complexes. Support for claim 17 can be found in Table C of Applicants' specification (pages 31 – 33).

Claim 28 was amended to depend from claim 14.

New claims 41 and 42 are drawn to a method of flowing the sample, wash or desorption solutions back and forth. Support for new claims 41 and 42 can be found for example, in Applicants' specification on page 18, lines 14-15.

New claims 43 and 44 are drawn to elution methods which yield a tube enrichment factor. Support for new claims 43 and 44 can be found, *e.g.*, in Applicants' specification on page 16, lines 23 - 26.

New claims 45 and 46 are drawn to methods in which the channel is a capillary such as a fused silica capillary. Support for new claims 45 and 46 can be found, *e.g.*, in Applicants' specification on page 24, lines 5 - 8.

New claims 47 and 48 are drawn to methods in which the capillary is non-linear, such as a coiled channel. Support for new claims 47 and 48 can be found, *e.g.*, in Applicants' specification on page 24, line 13 through page 25, line 1.

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New claim 49 recites an extraction channel wherein the inner surface of the channel is coated with a 3-dimensional solid phase extraction surface. Support for claim 49 can be found in Applicants' specification on page 29, lines 27 – 29.

New claims 50 and 51 are drawn to methods in which the extraction surface is further comprised of an affinity binding agent. Support for claims 50 and 51 can be found, for example, in Applicants' specification on page 30, line 19 – 24.

New claim 52 recites a method performed in a plurality of channels. Support for new claim 52 can be found in Applicants' specification on page 47, lines 26 – 27.

New claim 53 recites a method performed in a solid block. Support for new claim 52 can be found in Applicants' specification on page 24, lines 10 – 13.

The amendments do not introduce new matter. Entry of these amendments is respectfully requested.

III. Restriction requirement

In response to the restriction requirement, Applicants elect Group II, claims 14 – 28 and new claims 41 - 53.

The foregoing election is made with traverse. Claims to invention I were cancelled herein. The claims of Inventions II and III stem from a common concept and theory, and are very closely related. Inventions II and III each contain one independent claim (claims 14 and 29 respectively) followed by a series of dependent claims. Independent claim 14 of Invention II and independent claim 29 of Invention III are both drawn to methods for extracting a multi-protein complex. In claim 14, a complex containing at least two proteins is introduced into an extraction channel and becomes bound to an extraction surface. In independent claim 29, a first protein introduced into the extraction channel becomes bound to the extraction surface followed by a second protein, which binds the first protein.

The subject matter of the dependent claims of Invention III is the same as that of the dependent claims of Invention II. Since Inventions II and III are very closely related, it follows that a search of the subject matter of Invention II would identify prior art relating to Invention III. Applicants therefore respectfully request rejoinder of Groups II and III.

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CONCLUSION

The Commissioner is hereby authorized to charge \$60 for a one-month extension of time to Deposit Account No. 50-2852. In the event that an extension of time is required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely. The Commissioner is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 50-2852.

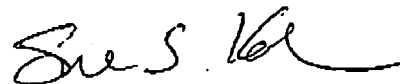
In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (408)267-7214.

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Respectfully submitted,



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